

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
January 19, 2011**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Edward Zimmerman at 7:30 PM followed by the salute to the Flag.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

The following statement was read into the record by Mayor Zimmerman: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 5, 2011. Notice remains continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

ROLL CALL

Mr. Thomas Bremner-present, Mr. Jeff Donahue-present, Ms. Julia Hasser-absent, Mr. Joshua Hochberg-present, Mr. Mark Pausch-present, Mr. Robert Steen-absent.

Also present: Borough Attorney Albert Cruz, Deputy Clerk Raymond Whitlock, CFO Joseph Monzo
*Borough Engineer Tanner arrived at 10:00 PM

MAYOR'S COMMENTS

Mayor Zimmerman informed the Council that the next SCGOA meeting would be February 9th, 2011 at Maggiano's in Bridgewater. The guest speaker would be Richard Bagger. Spacing is limited so Mayor Zimmerman asked that anyone wishing to attend should respond as quickly as possible.

Mayor Zimmerman asked for the Council's support appointing Connie Hallman to the recreation committee. Mayor Zimmerman stated there is no statute setting the number of members, so the addition is permitted.

Motion was made by Bremner to approve the appointment of Connie Hallman to the recreation committee. Motion was seconded by Pausch. Motion carried on a voice vote- all ayes.

Mayor Zimmerman stated the COAH S-1 bill has passed the assembly and senate and is awaiting the Governor's signature. Mayor Zimmerman stated that he has received several emails from Senator Lesniak urging the Borough to pass a resolution supporting this bill. Mayor Zimmerman stated he has been informed the Borough's obligation appears to have been significantly reduced, from 26 to 6 units. Mayor Zimmerman stated he needs to research the entire bill and determine the down side, if any, before passing a resolution in support of it.

Mayor Zimmerman informed the Council the Rocky Hill historic districts 30-year anniversary celebration would take place on October 7, 8 & 9, 2011. It will be in concert with the Somerset County Journey through the past celebration. Mayor Zimmerman summarized the events and stated they will be looking to the Borough for help with funding.

Mayor Zimmerman stated the revaluation process is moving along. Mayor Zimmerman stated he reviewed all the data posted on the website and surmised the average increase was where it was expected to be, as the Borough previously was valued at about 42% of fair market value. Mayor Zimmerman stated that 12 people requested hearings to discuss their valuation. Council Member Donahue stated he was one of those twelve and had inquired about how the neighborhoods were classified, as that is a difficult task when the homes are so unique.

Mayor Zimmerman stated that the Borough applied for FEMA funds jointly with the fire department to recover funds from the March 2010 nor-easter that damaged the Borough. Mayor Zimmerman informed the Council that the Borough is in receipt of the check. The state took 25% and the balance covers the costs that the Borough had spent. Mayor Zimmerman stated that he would like to give the fire department their proportioned share. Council Member Donahue stated that there were several trees the Borough had

budgeted to have removed that came down in the storm, so the funds are still remaining. Mayor Zimmerman stated the check was \$12,375.00 and he would like to see the fire department receive 33%, as they were instrumental during the storm. The funds would be used to purchase pumps and equipment that is needed. Motion was made by Donahue to give the fire department 33% of the \$12,375.00 the Borough received from FEMA. Motion was seconded by Bremner. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hochberg, Pausch
Against: None
Abstain: None

Mayor Zimmerman stated the new conference table, breakfront and television, donated from his office, were brought to the Borough Hall. Mayor Zimmerman stated the table needs to be refinished and cable needs to be run into the conference room. Mayor Zimmerman also stated he has a Toshiba CTX 300 phone system if the Borough would like it. Mayor Zimmerman suggested that the Borough look into the costs associated with the set up and decide whether or not to move forward with the system.

Mayor Zimmerman introduced Noelle Harris, a girl scout who has a project to present to the Council. Noelle Harris and Sophia Cassar, the community partner for the project, stated they are working on a bronze award and they would like to replenish the trees that burned in Van Horne Park. Noelle Harris stated they would like to do this on April 9th, 2011. Noelle asked that people make a donation to the Arbor Day Foundation and they will donate trees to be planted.

Mayor Zimmerman reminded council members that they need to assess their respective committees financial needs to begin the budgeting process. Mayor Zimmerman asked that projects be looked at for the next five years. A budget meeting was set for February 23rd, 2011 at 5:00 PM.

APPROVAL OF MINUTES

Regular/Reorganization Meeting Minutes –January 1, 2011

Motion was made by Pausch to approve the minutes as presented. Motion was seconded by Hochberg. Motion carried on roll call vote- all ayes.

For: Bremner, Hochberg, Pausch
Against: None
Abstain: Donahue

REQUEST OF COUNCIL FOR NEW OR OLD BUSINESS (NOT ON AGENDA)

New Business- CDBG
New Business- Rodent Issue

PUBLIC COMMENT

The floor was opened to the public for comments/questions. Hearing none, the floor was closed.

APPROVAL OF VOUCHERS

Bill list dated January 19, 2011 was presented for approval. Motion was made to approve vouchers by Pausch. Motion seconded by Donahue. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hochberg, Pausch
Against: None
Abstain: None

CHIEF FINANCIAL OFFICERS REPORT

Receipt of Audit for years ending 2008 & 2009- Robert Morrison, RMA, auditor for the Borough of Rocky Hill informed members of the Council that the Borough's audit is as clean as it can be. Robert Morrison explained that the standard of auditing in NJ differs from the National standards of auditing. Robert Morrison stated that the numbers that were provided to the auditors were a fair representation of the boroughs financial standing. Robert Morrison stated that Borough has sufficient controls in place to monitor funds. Robert Morrison reminded members of Council of the importance of their duties to review vouchers to maintain the excellent level of controls the Borough has in place. Robert Morrison asked that the Council look at page 112 of the audit, as he summarized the recommendation made. Mr. Morrison stated that contractors are now required to provide a contractor registration in order to do business with municipalities. The only recommendation made in the audit is that these registrations are on file whenever a contract is awarded.

2010 Annual Financial Statement- CFO Joseph Monzo summarized the highlights of the AFS for the Council. Some of the highlights were an increase of surplus from \$310,000 at the end of 2009 to \$468,000 at the end of 2010. CFO Monzo stated the increase in surplus came from additional rent on the water tower, rent from the nursery school, and additional tax funds collected. CFO Monzo stated that the collection rate for 2010 was 97.72%, which is exceptional. CFO Monzo stated that the Borough put out \$60,000 more than collected on State grants, and the Borough is awaiting reimbursement. CFO Monzo stated that the Borough is spending very close to what is budgeted. Overall, CFO Monzo commented, the Borough is in excellent financial shape. Mayor Zimmerman asked if there has been any word on the state aid figures at this time. CFO Monzo commented that he has not heard anything.

DEPARTMENTAL REPORTS

Tax Collector Report - December 2010

Court Administrator Report – December 2010

Mayor Zimmerman summarized the Court Administrators report for the month of December 2010. Motion was made by Donahue to approve the reports as presented. Motion was seconded by Pausch. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hochberg, Pausch

Against: None

Abstain: None

COMMITTEE REPORTS

Administration & Records – Council Member Hochberg stated he has a meeting scheduled with Linda Goldman to discuss where she left off.

Buildings & Grounds – Council Member Donahue stated that the health inspectors had been out to the nursery school and all was fine.

Finance & Insurance - Nothing to report at this time.

Public Safety & Emergency Services – Nothing to report at this time.

Streets & Roads – Nothing to report at this time.

Water, Sewer & Environmental Protection – Nothing to report at this time.

Council Representative to Planning Board – Acting Borough Clerk stated that the new members were sworn in at the last meeting. Clerk Newman also stated the Rocky Hill Hook and Ladder Company were in front of the Board for approval of the OEM shed placement, which was granted.

Council Liaison to Recreation Committee – Nothing at this time.

Council Representative to Board of Health – Nothing at this time.

Zoning Official's Report – Nothing at this time.

Grants Committee – Council Member Bremner stated that the last portion of the grant for the direct install energy grant was submitted.

PUBLIC COMMENT

The floor was opened to the public for comments/questions. Hearing none, the floor was closed.

SPECIAL BUSINESS

Introduction: Ordinance #1-2011- An Ordinance to amend Ordinance #1-2005 Entitled "An Ordinance Fixing the Salaries of the Employees of the Borough of Rocky Hill"

Motion was made by Bremner to introduce Ordinance #1-2011. Motion was seconded by Pausch. Motion carried on roll call vote- all ayes. A public hearing date was set for February 7, 2011.

For: Bremner, Donahue, Hochberg, Pausch
Against: None
Abstain: None

Introduction: Ordinance #2-2011 – An Ordinance Titled "An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap"

CFO Monzo informed the Council this Ordinance does not mean the Borough will exceed the cap, but will allow the Borough more options if it needs to.

Motion was made by Pausch to introduce Ordinance #2-2011. Motion was seconded by Hochberg. Motion carried on roll call vote- all ayes. A public hearing date was set for February 7, 2011.

For: Bremner, Donahue, Hochberg, Pausch
Against: None
Abstain: None

Discussion of an Ordinance to amend Chapter 96, Fire Prevention for the Borough of Rocky Hill- Motion was made by Hochberg to table the Ordinance. Motion was seconded by Donahue. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hochberg, Pausch
Against: None
Abstain: None

UNFINISHED BUSINESS

Discussion of Rescue Squad Audit – Mayor Zimmerman informed the new council members that the rescue squad is not part of the municipality, however the Borough supports it financially with insurance payments, LOSAP, and donations. Mayor Zimmerman stated that bills were not being paid, calls were not being responded to, therefore the Borough decided to withhold the funding until a comprehensive audit could be done. Robert Morrison, auditor, performed the audit and updated the council on his findings. Mr. Morrison stated that no laws were broken. Mr. Morrison stated that there was no way to determine if all funds collected were deposited. Mr. Morrison stated that the rescue squad needs to implement further internal controls. Mr. Morrison stated that one area of concern was using a debit card as frequently as it was being used. Mr. Morrison also stated that every financial transaction needs to be recorded in a ledger. In closing Mr. Morrison stated that he was confident the system is back operating, as it should be, and that he will not be charging the Borough for this audit.

Alan Querec, president of the squad, informed the council that they are back on track thanks to everyone's efforts. Mr. Querec stated that there has been a change in officers, bills have been brought current, and they are responding to calls. Mayor Zimmerman stated that he has not received as many complaint calls lately and he agrees there have been improvements made. Mayor Zimmerman inquired if there were any changes made from the back up responder being Montgomery rather than Princeton, as Princeton was billing residents. Mr. Querec responded that he thought it was Princeton because they are stationed closer, however the Captain switched back to Montgomery. Council Member Pausch asked how the 24/7 on call coverage schedule was coming along. Mr. Querec responded that it is better, as they have missed a minimal amount of calls. Council Member Pausch agreed that the call response has improved.

Robert Ashbaugh, a former forensic accountant for the FBI, has taken over the finances for the squad. Mr. Ashbaugh stated that it has been a herculean effort by the volunteers to rectify these financial issues. Mr. Ashbaugh thanked Mr. Morrison for his efforts and for helping the squad get back on track. Mr. Ashbaugh stated that the funds that were collected through donations were kept in a very detailed spreadsheet. Mr. Ashbaugh stated the debit card would no longer be used for all purchases, just small purchases as originally intended. Mr. Ashbaugh also stated that the bills are current and all registrations are current. In closing Mr. Ashbaugh informed the council that the squad is now tracking its financials on Quick books, so they are able to generate reports and monitor all expenditures.

NEW BUSINESS

Application for Rocky Hill Hook and Ladder Company- James Pelech and Sydney Scherer. Motion was made by Pausch to approve the applications for membership. Motion was seconded by Hochberg. Motion carried on voice vote- all ayes.

Community Development Block Grant Program- Deputy Clerk Whitlock asked that the Borough agree to participate in the program. It helps seniors that are on fixed incomes to receive funding to assist with repairs. Attorney Cruz stated that the Borough also receives credits toward its affordable housing plan by participating. Motion was made by Bremner to participate in program. Motion was seconded by Pausch. Motion carried on a voice vote- all ayes.

Rodent Issue – Council Member Donahue informed the Council that there are field mice in the Borough Hall. Council Member Donahue stated that he spoke to an exterminator that will charge \$350.00 to remove the mice at this point, or the Borough can sign an annual contract for \$420.00 that will remove bugs and bees as well. Motion was made by Donahue to contract with an exterminator for an amount not to exceed \$450.00. Motion was seconded by Pausch. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hochberg, Pausch
Against: None
Abstain: None

COMMUNICATIONS:

Communications as listed were distributed, disseminated and filed accordingly.

FINAL PUBLIC COMMENT

Peggy Harris, 66 Crescent Ave., Ms. Harris inquired if the Borough applied for funding to cover the snow removal, as the state was declared a state of emergency. Mayor Zimmerman responded yes.

Hearing no further comments, the floor was closed.

EXECUTIVE SESSION- Resolution 2011- 25 Resolution to Retire into Executive Session- Township or Montgomery-Sewer Agreement & Township of Montgomery- Memorandum of Understanding for Maintenance of Van Horne Park

Resolution to enter into executive session for purposes as outlined above was read into the record by Borough Attorney Cruz. Motion was made by Pausch for approval of the resolution. Motion seconded by Donahue. Motion carried on roll call vote- all ayes. (9:31 PM)

RESULTS OF EXECUTIVE SESSION

Results of Executive Session are not available to the public at this time. (10:23 PM)

ADJOURNMENT:

Motion was made by Pausch with a second by Hochberg to adjourn the meeting at 10:47 PM. All voted in favor of adjournment.

Respectfully submitted:

Rebecca P. Newman
Acting Borough Clerk

EXPLANATION: THIS RESOLUTION ALLOWS THE BOROUGH COUNCIL TO RETIRE INTO EXECUTIVE SESSION.

BOROUGH OF ROCKY HILL

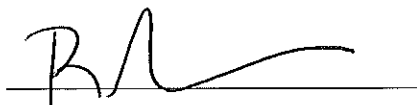
RESOLUTION 2011-25

WHEREAS, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12(b) (1-9) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council is of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action on the executive Session of January 19, 2011
2. The general nature of the subject matter to be discussed is as follows: -
Contract Negotiations: Township of Montgomery –Sewer Agreement
Contract Negotiations: Township of Montgomery-Van Horne Park Maintenance Agreement
3. Minutes of said discussion will be made available as soon as it is deemed in the public interest to do so.
4. The Borough Council may take official action on those items discussed in executive session upon completion of the executive session.
5. This Resolution takes effect immediately.



Rebecca P. Newman

Acting Borough Clerk

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk, of the Borough of Rocky Hill, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a

Resolution adopted by the Borough Council at a regular meeting of said Council held on January 19, 2011.

Rebecca P. Newman
Acting Borough Clerk